

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
DOCKETING DEPARTMENT
 101 Executive Center Drive
 Columbia, SC 29210

216183

COPY

Posted: Ad
 Dept: SA
 Date: 4/8/09
 Time: 11:45

2009-152-T

(Mailing address: Post Office Box 11649, Columbia, SC 29211)

OFFICE # (803) 896-5100

FAX # (803) 896-5199

CLASS C - CHARTER BUS

DATE 3/31, 2009**APPLICATION FOR CLASS C-CHARTER BUS CERTIFICATE**

Application is hereby made for a Class C-Charter Bus Certificate.

1. Name under which business is to be conducted (corporation, partnership, or sole proprietorship, with or without trade name.)

Holiday Tours Inc.**RECEIVED**

APR 07 2009

2. (a) Street Address of Applicant 10367 Randleman Rd.

Randleman, NC 27317PSC SC
DOCKETING DEPT.

- (b) Mailing address, if different from street address _____

- (c) Telephone Number (336) 498-9000 Fed ID # _____

3. If incorporated, a copy of Articles of Incorporation must be attached. (If incorporated outside of SC, need SC Secretary of State "Foreign Corporation" Certificate.)

4. (a) If a partnership, names and addresses of all persons having an interest in the business.

- (b) If a corporation, names and addresses of two principal officers will be sufficient.

David Brown 3902 South Rockingham Drive, Greensboro, NC 27407Rhonda Moody 5206 Timber Trail, Randleman, NC 27317

5. The proposed list of equipment is as per Exhibit "D" included herewith.

6. Applicant is familiar with the provision of R. 103-170 through R. 103-181 of the Commission's Rules and Regulations for Motor Carriers (Vol.26, S.C. Code Ann., 1976), and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers (Vol.23A, S.C. code Ann., 1976) and amendments thereto, and hereby promises compliance therewith.

DS



NORTH CAROLINA

Department of The Secretary of State

CERTIFICATE OF EXISTENCE

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify that

HOLIDAY TOURS, INC.

is a corporation duly incorporated under the laws of the State of North Carolina, having been incorporated on the 16th day of December, 1996, with its period of duration being Perpetual.

I FURTHER certify that, as of the date set forth hereunder, the said corporation's articles of incorporation are not suspended for failure to comply with the Revenue Act of the State of North Carolina; that the said corporation is not administratively dissolved for failure to comply with the provisions of the North Carolina Business Corporation Act; that its most recent annual report required by N.C.G.S. 55-16-22 has been delivered to the Secretary of State; and that the said corporation has not filed articles of dissolution as of the date of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 4th day of April, 2007.

Elaine F. Marshall

Secretary of State



C-0413083
FILED
305 PM

933511112

ARTICLES OF INCORPORATION

OF

HOLIDAY TOURS, INC.

DEC 16 1996

EFFECTIVE
JANICE H. FAULKNER
SECRETARY OF STATE
NORTH CAROLINA

The undersigned natural person of the age of eighteen (18) years or more does hereby associate himself for the purpose of establishing a business corporation under the laws of the State of North Carolina, as contained in Chapter 55 of the General Statutes of North Carolina entitled "Business Corporation Act", and to that end does hereby set forth:

I

The name of the corporation is Holiday Tours, Inc.

II

The aggregate number of shares which the corporation shall have authority to issue is two hundred thousand (200,000) shares of common capital stock divided into classes and series as follows:

Class	Series	Number of Shares	Par Value Per Share
A	Common	One Hundred Thousand (100,000)	One Dollar (\$1.00)
B	Common	One Hundred Thousand (100,000)	One Dollar (\$1.00)

There will be no distinction between the two classes except that the holders of the Class B common stock shall have no voting power for any purpose whatsoever, and the holders of Class A common stock shall, to the exclusion of the holders of Class B common stock, have full voting power for all purposes.

III

The street address and county of the initial registered office of the corporation is 228 West Market Street, Greensboro, Guilford County, North Carolina 27401.

IV

The mailing address of the initial registered office of the corporation is P. O. Box 2888, Greensboro, Guilford County, North Carolina 27402.

V

The name of the initial registered agent of the Corporation is Richard J. Tuggle, Jr.

VI

The number of directors of the corporation may be fixed by the by-laws. The number of directors constituting the initial Board of Directors shall be one (1) and the name and address of the person who is to serve as director until the first meeting of shareholders or until his successor is elected and qualified is:

<u>Name</u>	<u>Address</u>
Richard J. Tuggle, Jr.	228 West Market Street Greensboro, NC 27401

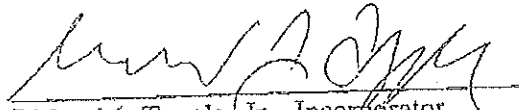
VII

The name and address of the incorporator is as follows:

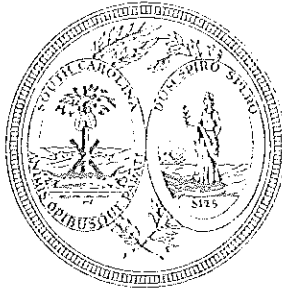
Richard J. Tuggle, Jr.	228 West Market Street Greensboro, N. C. 27401
------------------------	---------------------------------------------------

This the 7th day of November, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand, this the 7th day of November, 1996.


Richard J. Tuggle, Jr., Incorporator

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Authorization

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

HOLIDAY TOURS INC.,

a corporation duly organized under the laws of the state of **NORTH CAROLINA** and issued a certificate of authority to transact business in South Carolina on **July 5th, 2007**, has on the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that its authority to transact business in South Carolina is subject to being revoked pursuant to Section 33-15-310 of the 1976 South Carolina Code, and no application for surrender of authority to do business in South Carolina has been filed in this office as of the date hereof.

Given under my Hand and the Great
Seal of the State of South Carolina this
12th day of July, 2007.

A handwritten signature in cursive script that reads "Mark Hammond".

Mark Hammond, Secretary of State

STATE OF SOUTH CAROLINA
SECRETARY OF STATE

CERTIFIED TO BE A TRUE AND CORRECT COPY
AS TAKEN FROM AND COMPARED WITH THE
ORIGINAL ON FILE IN THIS OFFICE

APPLICATION BY A FOREIGN CORPORATION
FOR A CERTIFICATE OF AUTHORITY
TO TRANSACT BUSINESS
IN THE STATE OF SOUTH CAROLINA

JUL 05 2007

TYPE OR PRINT CLEARLY WITH BLACK INK

Mark Hammond
SECRETARY OF STATE OF SOUTH CAROLINA

Pursuant to Section 33-15-103 of the 1976 South Carolina Code of Laws, as amended, the undersigned corporation hereby applies for authority to transact business in the State of South Carolina, and for that purpose, hereby submits the following statement:

1. The name of the corporation is (see Sections 33-4-101 and 33-15-106 and Section 33-19-500(b)(1) if the corporation is a professional corporation) Holiday Tours Inc.
2. It is incorporated as (check applicable item) [☒] a general business corporation, [☐] a professional corporation, under the laws of the state of North Carolina
3. The date of its incorporation is 12/16/1996 and the period of its duration is _____
4. The address of the principal office of the corporation is 10367 Randleman Rd. in the
Street Address
city of Randleman and the state of North Carolina 27317
Zip Code
5. The address of the proposed registered office the state of South Carolina is
207 Furman Hall Rd. in the city of Greenville in
Street Address
South Carolina 29609
Zip Code
6. The name of the proposed registered agent in this state at such address is
JOHN W CAULEY
Print Name

I hereby consent to the appointment as registered agent of the corporation.

John W. Cauley
Signature of the Registered Agent

070710-0093

HOLIDAY TOURS INC.

FILED: 07/05/2007

Filing Fee: \$135.00 ORIG



Mark Hammond

South Carolina Secretary of State

7. The name and usual business address of the corporation's directors (if the corporation has no directors, then the name and address of the persons who are exercising the statutory authority of the directors on behalf of the corporation) and principal officers:

a)	Name of Directors	Business Address
	<u>David R. Brown</u>	<u>10367 Randleman Rd. Randleman, NC 27317</u>
	<u>Gary Moody</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>
	<u>Rhonda Moody</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>
	<u>Tommy Rayle Jr.</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>

b)	Name and Office of Principal Officers	Business Address
	<u>David R. Brown CEO</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>
	<u>Gary Moody VP Sales</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>
	<u>Rhonda Moody Office Manager</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>
	<u>Tommy Rayle Jr. VP Operations</u>	<u>10367 Randleman Rd., Randleman, NC 27317</u>

8. The aggregate number of shares which the corporation has authority to issue, itemized by classes and series, if any, within a class:

Class of Shares (and Series, if any)	Authorized Number of Each Class (and Series)
<u>Class A Common</u>	<u>100,000 Common</u>
<u>Class B Common</u>	<u>100,000 Common</u>
<u></u>	<u></u>
<u></u>	<u></u>

9. Unless a delayed date is specified, this application shall be effective when accepted for filing by the Secretary of State (See Section 33-1-230): 04/04/2007

Date 04/04/2007


Holiday Tours Inc.
Name of Corporation

Signature
Jeff Marley Safety Director
Type or Print Name and Office

EXHIBIT D

STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
Prevost	LeMoyne 1985	2P9L3340XF1001935	26,000	47
Prevost	LeMoyne 1985	2P9L3340XJ1001071	26,000	47
Prevost	LeMoyne 1988	2P9L3340XJ1001491	26,000	47
Prevost	LeMoyne 1988	2P9L3340151001492	26,000	47
Prevost	LeMoyne 1988	2P9L3340131001500	26,000	47
Prevost	LeMoyne 1980	2P9L33407L1001533	26,000	47
Prevost	H3-40 1991	2P9H33408M1001084	36,000	46
Prevost	H3-40 1991	2P9H3340XM1001095	36,000	46
Prevost	H345 1995	2P9H3349851001169	42,000	54
Prevost	H345 1995	2P9H33494S1001270	42,000	54
Prevost	H345 1996	2PCH33491T1011425	42,000	54

* Seats if passenger carrier

Holiday Tours Inc.
(Applicant)

Date: 4/4/07

Jeff Marley
(Applicant's Representative)

Safety Director
(Title)

EXHIBIT D

STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
Prevost	H345	1996 2PCH33490T1011562	42,000	54
Prevost	H345	1996 2PCH33498T1011566	42,000	54
Prevost	H345	1996 2PCH33492V1011713	42,000	54
Prevost	H345	1997 2PCH33498V1011716	42,000	54
Prevost	H345	1998 2PCH33494W1012167	42,000	54
Prevost	H345	1998 2PCH33494W1012315	42,000	54
Prevost	H345	1998 2PCH33498W10112317	42,000	54
Prevost	H345	2000 2PCH33495Y10113671	42,000	54
Prevost	H345	2000 2PCH33497Y10113672	42,000	54
Prevost	H345	2000 2PCH33498Y10113762	42,000	54
Prevost	H345	2000 2PCH33499Y1013768	42,000	54

* Seats if passenger carrier

Holiday Tours Inc.

(Applicant)

Date: 4/4/07Jeff Marley

(Applicant's Representative)

Safety Director

(Title)

EXHIBIT D

STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
Prevest	H345 2001	2PCH3349711014214	42,000	54
Prevest	H345 2001	2PCH3349011014216	42,000	54
Prevest	H345 2001	2PCH3349411014218	42,000	54
Prevest	H345 2001	2PCH3349611014219	42,000	54
Prevest	H345 2002	2PCH3349721014375	42,000	56
Prevest	H345 2002	2PCH3349321014339	42,000	56
Prevest	H345 2002	2PCH3349K21014340	42,000	56
Prevest	H345 2003	2PCH3349831014564	42,000	56
Prevest	H345 2003	2PCH3349331014570	42,000	56
Prevest	H345 2003	2PCH3349931014573	42,000	56
Prevest	H345 2003	2PCH3349X31014579	42,000	56

* Seats if passenger carrier

Holiday Tours Inc.

(Applicant)

Date: 4/4/07Jeff Marley

(Applicant's Representative)

Safety Director

(Title)

EXHIBIT D

STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
Prevost	H345	2002	2PCH3349821014822	42,000 56
Prevost	H345	2007	2PCH3349771710838	42,000 56
Prevost	H345	2007	2PCH3349871710839	42,000 56
Prevost	H345	2007	2PCH3349771710841	42,000 56
Prevost	H345	2007	2PCH3349071710843	42,000 56
Prevost	H345	2007	2PCH3349271710844	42,000 56
Prevost	H345	2007	2PCH3349471710845	42,000 56
Prevost	H345	2004	2PCH3349841014890	42,000 52
Prevost	H345	2004	2PCH3349541014894	42,000 52
Prevost	H345	2005	2PCH3349151010178	42,000 50
Prevost	H345	2005	2PCH3349351010182	42,000 50

* Seats if passenger carrier

Holiday Tours Inc.
(Applicant)

Date: 4/4/07

Jeff Marley
(Applicant's Representative)

Safety Director
(Title)

EXHIBIT D

STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
Prest	H345 2005	2PCH3349951010185	42,000	50
Prest	H345 2005	2PCH3349051010186	42,000	50
Prest	H345 2006	2PCH3349862010518	42,000	50
Prest	H345 2006	2PCH3349861010522	42,000	50
Prest	H345 2006	2PCH3349361010524	42,000	50
Prest	H345 2006	2PCH3349561010525	42,000	50
Prest	H345 2007	2PCH3349171710835	42,000	50
Prest	H345 2007	2PCH3349171710837	42,000	50
Prest	H345 2003	2PCH3349531014425	42,000	54
Prest	H345 2003	2PCH3349531014427	42,000	54
Prest	H345 2003	2PCH3349931014685	42,000	54

* Seats if passenger carrier

Holiday Tours Inc.
(Applicant)

Date:

4/4/07

Jeff Marley
(Applicant's Representative)

Safety Director
(Title)

EXHIBIT D

STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
Prewest	H345	2003	2PCH33249231014687	42,000 54
Dodge	Sprinter	2003	WD2Y0542735544028	15,000 12
ABC	M1035	2002	4UZAABWS2CT70641	25,000 31
ABC	M1035	2002	4UZAABW12CK13530	25,000 31
ABC	M1035	2005	4UZAAZCT75CU55070	25,000 31
ABC	M1035	2005	4UZAAZCT95CU55071	25,000 29
ABC	M1035	2005	4UZAAZCT05CU55069	25,000 29
ABC	M1035	2005	4UZAAZCT05CU55072	25,000 29

* Seats if passenger carrier

Date:

4/4/07

Holiday Tours Inc.
(Applicant)Jeff Marley
(Applicant's Representative)Safety Director
(Title)

INSURANCE QUOTE

The following insurance quote is for:

Holiday Tours Inc.

(Name of Motor Carrier)

10367 Randleman Rd., Randleman, NC 27317

(Address of Motor Carrier)

Amount of Premium:

Liability Insurance

\$298,813.00

The above quoted premium is for a term of 12 months.

Minimum Limits: 16 or more passengers - 25,000/300,000/25,000
(Intrastate Only)

National Interstate

(Insurance Company Name)

PO Box 549 Richfield, OH 44286

(Home Office Address of Company)

is familiar with the Commission's Rules and Regulations relating to insurance requirements and the above quote meets the minimum insurance limits prescribed. The insurance company making this quote is authorized by the South Carolina Department of Insurance to do business in South Carolina.

Date

(Authorized Insurance Company Representative)

SEE Form E.

Rev 5/07

EXHIBIT FWA

Name: Holiday Tours Inc.

U.S.D.O.T. No. 252234 ICC No. MC151206

1. Does Applicant have a Safety Rating from the U.S.D.O.T.?
Yes ☒ No ☐ Pending ☐ (Submit when received)
(If "yes", indicate rating and provide copy) Satisfactory ☒
Conditional ☐
Unsatisfactory ☐
2. Have any of Applicant's drivers or vehicles been placed "out of service" by Transport Police safety officers in the past twelve (12) months?
Yes ☐ No ☒
3. Are there currently any outstanding judgement(s) against Applicant?
Yes ☐ No ☒
(If "yes", indicate nature of judgement(s).)
4. Is Applicant familiar with all insurance regulations and safety regulations, governing charter bus carrier operations in South Carolina and does applicant agree to operate in compliance with these regulations?
Yes ☒ No ☐
5. Is the Applicant aware of the Commission's insurance requirements and the insurance premium costs associated therewith?
Yes ☒ No ☐
(The attached Insurance Quote form must be completed, listing current insurance premiums. At the discretion of the Commission, a copy of current insurance policies may be required. Do not provide copy of insurance policies unless requested.)

APPLICANT'S OATH

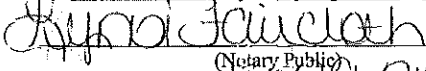
I, Jeff Marley, verify under the laws of the State of South Carolina, that all information supplied on this form or relating to this application is true and correct. Further I certify that I am qualified and authorized to file this application. I certify that all vehicles owned and/or operated by the applicant have current Record Of Annual Inspection forms on file at the company's primary place of business. I am aware that willful misstatements or omissions of material facts may constitute grounds for revocation of any certificate that may be granted to me by the Commission, and/or may subject me to such other penalties as may be prescribed by South Carolina law. (Note: This oath embraces all schedules and supplemental filings to this application.)


(Applicant's Signature)

Sworn to before me

At _____

This 31 day of March 2009


(Notary Public)

Commission Expires: 5-29-2012



Consolidated Safety Services

Scientific Minds. Common Sense Solutions.

August 6, 2008

Inspection #: 2082061
Inspection Date: 7/23/2008

HOLIDAY TOURS, INC.
10367 Randleman Rd
Randleman, NC 27317-8076

Attention: Tommy Rayle, Jr.

Consolidated Safety Services, Inc. (CSS) is the safety inspection contractor for the Defense Travel Management Office (DTMO). CSS conducted a Facility, Terminal and Equipment (FTE) inspection of your operations on the date shown above. A copy of the inspection report is enclosed for your information.

The inspection primarily measures performance in maintaining compliance with the Military Bus Agreement (MBA) and its Addendum and the Federal Motor Carrier Safety Regulations (FMCSR). The Department of Defense (DOD) rates carriers on a scale from one (1) (satisfactory) to five (5) (unsatisfactory). Your rating for this inspection is a **ONE (1)**. On behalf of the Defense Travel Management Office, we encourage your continued support of the DOD's Quality Assurance Program.

If you have any questions regarding the inspection, please contact the undersigned. Questions regarding the Military Bus Program should be directed to Ms. Carol Mills of the Defense Travel Management Office at (703) 696-8436.

Sincerely,

for Steve Parker
Project Manager
CSS, Transportation Safety & Security Division

Enclosure

703.691.4612 P
800.888.4612 P
703.691.4615 F
10301 Democracy Lane, Suite 300
Fairfax, Virginia 22030-2545

www.consolidatedsafety.com



800-888-4612 (P)
703-691-4612 (P)
703-691-2575 (F)
W91QUZ-08-P0017
PSIP
PM: Steve Parker
703-691-4612
COR: Brian Dean



PASSENGER Motor Carrier Compliance Report

Date: 7/23/2008

Inspection No.: 2082061

Carrier HOLIDAY TOURS, INC.

Address

10367 Randleman Rd

DBA

Randleman

NC 27317-8076

Trade

Phone (800)733-9011

(336)498-9000

Contact Name Tommy Rayle, Jr.

Fax (336)498-2616

Inspectors:

CHRISTOPHER MCALLISTER

SUMMARY

	FACTOR	RATING
1	General	1
2	Driver	1
3	Operational	3
4	Vehicle	2
5	Hazardous Materials	0
6	Accidents: Recordable Rate per Million Miles	1
7	DTMO/PASSENGER	1

Equipment Rating: 1

INSPECTION RATING 1

SATISFACTORY

Executive Summary

CARRIER INFORMATION

Inspection No.: 2082061

Carrier Name HOLIDAY TOURS, INC.

DBA

Trade Name

SCAC Code HODA

Units Inspected: 5

DOT Number 252234

Current DTMO Inventory: 66

This carrier is a well-established and professional 'for hire' company doing business from the terminal address. The terminal consists of the sales and operations offices, maintenance facilities, and parking for the motor coaches. The carrier performs operations throughout the eastern US. Approximately eleven (11) percent of the business is performed with military entities under the DTMO Military Bus Agreement meaning an average of 47 military charters per month.

The carrier has 106 drivers, 43 of whom are employed by other companies, and utilizes 66 motor coaches to perform operations. All requested files and information were available for review during the inspection and required supporting documents were received. Present for the inspection were Tommy Rayle (Vice President), Jeff Marley (Safety Director), and Aaron Hawks (Lead Dispatch). All were very professional and forthcoming with information pertaining to the carrier operations.

While most of the carrier's operations were found in very good order there were some areas of concern in the maintenance area detailed in Factor Four (Vehicle).

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

1) General

Inspection No.: 2082061

The carrier's knowledge of the regulations and its ability to properly instruct employees and drivers in their responsibilities are evaluated in this Factor. Also, in this Factor the carrier's authority to operate in INTERSTATE and/or INTRASTATE commerce is reviewed and identified. If applicable, Certificates of Registration for the transport of hazardous materials are evaluated, along with bonds required if the carrier also holds a Broker Authority. The carrier must also provide evidence of the required levels of financial responsibility.

In order to meet the Safety Fitness Standard as described in Section 385.5 of the Federal Motor Carrier Safety Regulations (FMCSR), the motor carrier must demonstrate that adequate safety management controls are in place and are functioning effectively to ensure acceptable levels of compliance and performance. These controls are defined in Section 385.3 as the systems, policies, programs, practices, and procedures used by the motor carrier to ensure compliance with all applicable regulations. Identification of a carrier's safety management controls and the evaluation of their effectiveness are a major component of this Factor.

Violations were found in Factor Three (Operational) but no safety management control concerns were found; all of the violations found were identified on the carrier's log reviewing program in place. All records were available and violations are addressed with the individual drivers.

The concerns found in Factor Four (Vehicle) were tied to a lack of management oversight of the procedures already in place. A good maintenance program is in place and, if followed as directed, would ensure compliance in this area. Another problem with the DVIR system was found to be a lack of knowledge of the regulations. Management must ensure that drivers are trained in this area.

Management stays abreast of the regulations and industry updates with periodic conferences, which are documented, and are well aware of the regulations and information on the FMCSA Web site for ongoing information. The carrier also has a set of detailed safety policies and training programs to address initial and remedial training when required.

1) DVIR System

2) PM's Regular Maintenance

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

22/385.5(h)

GENERAL

Does the carrier review its compliance status regarding maintenance, inspection and repair?

No. While a thorough maintenance program is in place, there were some areas of shortcoming detailed in Factor Four (Vehicle). These issues were with the regular maintenance being occasionally deferred, the DVIR system in place was not complete, and emergency exit checks were occasionally deferred. Management must ensure that a procedure is in place to monitor the existing program and ensure that the carrier policies are followed.

Under the regulations, the motor carrier is required to establish a systematic program for inspection, repair, and preventive maintenance. The intervals of a systematic program are to be determined by the motor carrier. This allows the carrier to take into consideration geographical location, operating conditions and the manufacturer's guidelines provided in vehicle service manuals. Periodically reviewing control procedures for deficiencies should result in improvements where needed to ensure the safe operation of all vehicles.

3) Drug Testing

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

2) Driver

Inspection No.: 2082061

A motor carrier's policies, procedures and controls, as they relate to qualifying and hiring potential drivers, are evaluated in this Factor. An evaluation is also made of the process whereby data resulting from the carrier's program of testing for controlled substances and alcohol is collected, reviewed, and managed by the carrier.

An audit of selected driver qualification files is conducted in order to determine the effectiveness of the carrier's procedure. It is also a means of determining the extent of management's knowledge of the regulations and how they apply to operations.

Procedures have been set into place to successfully address violations noted during the last inspection. No violations were noted among the files reviewed.

The carrier's information showed their random testing pool average for 2007 was 125; 50% of that number is 62.5 requiring at least 63 random controlled substances tests to be performed for compliance with FMCSA regulations. The carrier had nine (9) personnel from the maintenance facility and office which were also part of the random testing pool; these were non-DOT employees which diluted the pool. Subtracting the nine (9) non-DOT personnel from the average leaves 116 as the average number of driver positions for the year. 62 tests were performed; more than the 58 random tests required to meet the requirement of randomly testing 50% of carrier drivers in the calendar year. All actual tests, (and results), were reviewed to ensure accurate numbers.

When a motor carrier includes employees in the DOT testing pool who are not subject to random testing under the regulations, it effectively dilutes the pool and diminishes the chances for testing of those subject to testing. This can render a motor carrier's random testing program invalid. The carrier is not prohibited from having a company policy for random testing of non-DOT employees; however, those individuals should be separated from those subject to testing under DOT regulations. This should include a separation of all reports and records.

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

3) Operational

Inspection No.: 2082061

In this Factor the motor carrier's management controls relating to drivers' hours-of-service are evaluated. The primary document used for recording time is the record of duty status (RODS or driver's log), as defined in Part 395 of the FMCSR. Part 390 addresses additional training and instructional requirements deemed the responsibility of the motor carrier.

All requested records were available for review. The carrier has a detailed log review program which includes log scanning into a computer program. Violations are noted and addressed with the drivers. Work time, to include drivers operating and working for other companies, is recorded on logs. The log review program recaps hours for each of the drivers, the carrier also has a computer system by which an estimate of hours is kept for each driver at all times for dispatching purposes. This information is used to choose drivers for operation but is reviewed with the individual driver prior to the actual work.

Although some violations were found there were no issues of concern here as all of the violations found were discovered during the carrier's log review process. Missing records of duty status are addressed with the drivers. Drivers are retrained, if necessary, by the log and safety departments. Form and manner violations were found but were also identified by the carrier log reviewing program.

19/395.3a1 / 395.5a1

GENERAL

Has the carrier allowed or required drivers to drive in excess of specified driving limitations without the specified off-duty?

Yes. Driver Larry Carlson was found to have exceeded the 10 hour driving period by .75 hours on 7 June 2008 and again by .5 on 30 June 2008. Driver Tom Corder was found to have exceeded the 10 hour driving period by .5 hours on 13 June 2008.

These violations were all recorded during carrier log reviewing and drivers were notified, or being notified.

21/395.3a2 / 395.5a2

GENERAL

Has the carrier allowed or required drivers to drive after having been on-duty for the specified hours without taking the required specified off-duty time?

Yes. Driver Rick Eklund was found to have driven for .5 hours on 29 June 2008 after being on duty for 15 hours without the required amount of off duty time, he exceeded it again on 30 June 2008 by .5 hours. Driver Jim Bowers was also found to have driven for 2.5 hours on 24 June 2008 after being on duty for 15 hours without the required amount of off duty time.

These violations were all recorded during carrier log reviewing and drivers were notified, or being notified.

5) Log System

Overall Results of Motor Carrier Compliance Report

Citation	Violation and Comments
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25/395.5(b)	
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GENERAL	
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	Has the carrier allowed or required bus drivers to drive after having been on-duty more than the specified hours in 7 or 8 consecutive days? (Passenger-carrying vehicles)
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Yes. Driver Jerry Novak was found to have exceeded the 70 hour rule by 3.75 hours on 1 June 2008, again by 3.25 on 2 June 2008, and again by 3.25 on 4 June 2008. Driver Homer Wilson was found to have exceeded the 70 hour rule by 2.5 hours on 3 June 2008 and again by 6 hours on 4 June 2008.

These violations were all recorded during the carrier's log reviewing and drivers were notified, or being notified.

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

4) Vehicle

Inspection No.: 2082061

The motor carrier's policies, procedures and controls as they relate to vehicle maintenance, inspection and repair are evaluated in this Factor. Also, training, reporting, monitoring and maintenance of records for vehicle inspections, routine maintenance and repair of known defects are also evaluated. The primary documents reviewed are driver vehicle inspection reports (DVIR), roadside inspection reports, and vehicle maintenance files. Part 396 of the FMCSR defines the requirements for a systematic vehicle inspection, repair and maintenance program and what constitutes required records.

A critical performance element of this segment of the inspection is the carrier's roadside inspection performance for vehicles that have undergone inspection by various Federal, State or local jurisdictions. A motor carrier's vehicle out-of-service rate is based on the number of vehicles that have been inspected and how many of those inspections resulted in a vehicle being placed out-of-service (OOS). A carrier's vehicle out-of-service rate relates to the effectiveness of the carrier's preventive maintenance program and the quality of the pre-trip and post-trip inspections performed by their drivers.

The carriers' maintenance is performed by a third party vendor, onsite, which is actually a subsidiary of Holiday Tours, Inc. The onsite maintenance facilities include the repair bays, pits, wash racks, and offices. The maintenance system is contained on a computer program which includes all systematic maintenance performed, basic vehicle information, and upcoming maintenance due.

While the records system in place is complete, the DVIR and regular preventive maintenance systems need attention. The violations noted in this Factor stemmed from insufficient management oversight to ensure that carrier policies are followed. Other than these two areas, the maintenance program was found to be well established and effective.

The Driver Vehicle Inspection Report (DVIR) is a critical component of the carrier's maintenance program. It is the communication tool between the drivers and mechanics to ensure that commercial motor vehicles remain in a proper state of repair. Section 396.3(a)(1) requires that parts and accessories shall be in proper operating condition at all times. Section 396.11(c) instructs the carrier that safety-related defects listed on the DVIR likely to affect the safety of operating the vehicle must be repaired prior to requiring or permitting the use of the vehicle. The FMCSA has determined that any item listed in Appendix G of Subchapter B (Periodic Inspection Standard), when listed on the DVIR, must be repaired prior to the next use of the vehicle. Sufficient safety management controls should be established to ensure compliance with the regulations.

There were five (5) Level 5 vehicle inspections performed during this FTE inspection; no OOS violations were noted.

1/385.5(e)
GENERAL

What is the carrier's OUT-OF-SERVICE rate percentage for the past twelve (12) months?

The carrier has 92 vehicle inspections in the previous 12 months, including five (5) Level 5 inspections performed as part of this FTE inspection. No OOS violations are noted resulting in a zero (0) percent OOS rate for the carrier.

2) PM's Regular Maintenance

Overall Results of Motor Carrier Compliance Report

Citation	Violation and Comments
9/396.3(a) GENERAL	<p>Do maintenance records indicate a pattern of deferred maintenance?</p> <p>Yes. Not all vehicles were inspected or underwent routine service at intervals prescribed by the carrier. For example, the regular maintenance interval exceeded the company policy of 15,000 miles by 4,263 miles and 6,383 miles on two (2) of the previous four (4) services performed. The interval for vehicle 201 was exceeded by 7,400 miles and 4,152 miles on two (2) of the previous four (4) services performed.</p> <p>The carrier has a computerized program in place to record and identify upcoming services required by their policy of 15,000 mile intervals for routine maintenance. This deferred maintenance issue is identified as a lapse in management oversight and ensuring that the program is followed as intended should alleviate the problem.</p> <p>When service intervals have been established, the motor carrier must ensure that those service intervals are closely adhered to. A certain amount of tolerance is allowed to those intervals; however, once a mileage interval extends beyond a predetermined interval, either by miles or time, the carrier runs the risk of using a vehicle that may not be safe and becomes exposed to increased liability should something go wrong that can be tied to maintenance, inspection or repair.</p>
13/396.13 GENERAL	<p>Are oncoming drivers certifying that they have reviewed the prior DVIR when required?</p> <p>No. The carrier does not have in place a procedure to have the oncoming drivers certify their review of repairs made. These certifying signatures were not found on any reviewed DVIRs. This issue was identified as a lack of knowledge in this area and management must ensure this procedure is implemented, and drivers trained, to be in compliance.</p> <p>All drivers must review the prior DVIR as a part of their pre-trip inspection, required by 396.13. However, a driver must certify to his/her review when the prior DVIR has listed safety related defects AND the motor carrier has certified that those defects have either been repaired or need not be repaired for safe operation. Regulations changed in July 1998, and now require the signature certifications of the driver preparing the report, the mechanic making the repairs, and that of the oncoming driver as part of his or her pre-trip inspection to be on the DVIR.</p>

2) PM's Regular Maintenance

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

24/396.3(b)(4)

GENERAL

Is the carrier able to document that emergency exits are inspected at least at 90-day intervals?

Not in every case. The carrier was unable to document that emergency exits and specified components were inspected in a timely fashion. For example; Vehicle 133 was found to have ca 207 days and 158 days respectively between tests performed on 30 January 2007, 27 August 2007, and 5 February 2008. Also again on vehicle 901 where ca 154 days were found between tests performed on 22 January 2008 and 26 June 2008.

The carrier has the procedures in place on the computerized maintenance program to identify when these tests are to be performed. This issue was related to management oversight of the system in place. The carrier must ensure that these tests are performed when identified by the program in place. During the Level 5 inspections performed there was no issues found with the operations of the windows, drivers and mechanics involved with the inspections were knowledgeable of the operation of the emergency exits.

Tests conducted on push-out windows, emergency doors, and emergency door marking lights on buses must be conducted at least every ninety days. Records of these tests are considered a part of the maintenance record and should be retained for at least one year.

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

5) Hazardous Materials

Inspection No.: 2082061

This carrier does not transport hazardous materials.

4) Recordable Accidents

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

6) Accidents: Recordable Rate per Million Miles

Inspection No.: 2082061

This Factor addresses the carrier's rate of recordable accidents per million miles during the past 12 months. It is calculated by multiplying the number of accidents by one million then dividing that number by the number of miles traveled for the same period. It will be used only when a motor carrier incurs two or more recordable accidents within the 12 months prior to the inspection. All carriers, other than urban (100, air-mile radius) carriers, with a recordable accident rate greater than 1.5 will receive an Unsatisfactory rating for this Factor. Changes in the regulations effectively removed the determination of preventability or non-preventability from the rate determination process.

Recordable accident, as defined in 49 CFR 390.5, means an accident involving a commercial motor vehicle operating on a public road in interstate or intrastate commerce which results in a fatality; bodily injury to a person who as a result of the injury immediately receives medical treatment away from the scene of the accident; and/or one or more motor vehicles incurring disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

The carrier has an accident register in place with two (2) recordable accidents noted. As seen below, one (1) was not counted and the carrier may choose to work with FMCSA to have this accident removed from its record. The other accident within the previous 12 months took place in VA on 31 July 2007 and all required information was on file.

The carrier is aware of the criteria governing a recordable accident and has a register in place for the previous three (3) years. Other recordable accidents from beyond the 12 month period reviewed are present on the register with the pertinent information.

1/385.5

GENERAL

What is the carrier's recordable accident rate per million miles for the previous twelve (12) months?

The carrier has operated 3,051,843 miles in the previous 12 months. Two recordable accidents are present on their publicly available data in FMCSA's SaferSys, (and the carrier's register), although one of them did not fall under the criteria governing recordable accidents.

The carrier was involved in an accident on 21 May 2008 in Greensboro NC in which a drunk driver was evading authorities and hit the carrier's motor coach. The drunk driver careened into a field and was towed out. This was not disabling damage to the other vehicle but it was towed from the scene due to the driver's arrest. The motor coach driver was not cited and the accident resulted in no injuries nor the carrier's vehicle being towed.

Given this information, the carrier has only one recordable accident on file. Since two or more accidents under these recordable criteria are required for a recordable accident rate per million miles, the carrier's rate is reported as zero (0).

Overall Results of Motor Carrier Compliance Report

Citation

Violation and Comments

7) DTMO/PASSENGER

Inspection No.: 2082061

Factor Seven is designed to evaluate the carrier's knowledge of and compliance with the guidelines outlined in the Military Bus Agreement (MBA) and the Military Bus Agreement Addendum and other contractual issues required of the carrier to remain approved by the Defense Travel Management Office (DTMO). The MBA contains specific operational procedures by which the carrier must abide. Failure to do so could risk disqualification for failing to honor the provisions of their agreement with DTMO.

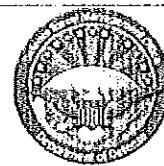
No concerns were found in this area. The carrier has a copy of the MBA and is knowledgeable of the procedures required should an issue arise. Sales, Safety, and dispatch are all included when an issue arises and the proper DOD personnel are contacted.



VEHICLE INSPECTION REPORT

Inspection
Date

7/23/2008



MRN #

MRO #

USDOT #
252234

ICC #
151206
Charter #

Motor
Carrier HOLIDAY TOURS, INC.

Street
Address 10367 Randleman Rd

City Randleman State NC Zip 27317-8076

Driver DOB

SSN #

License # State

VEHICLE IDENTIFICATION

Vehicle Type Bus Own or Lease? O

Make PREVOST 2007

Company Number 408

License Number LA13949

VIN Number 2PCH3349171710835

Inspection #

2082061

InspectionType FTE

CVSA Level 5

Inspection Location

Randleman NC

Start Time

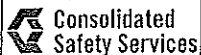
End Time

Is Vehicle on
DTMO

Y

Vehicle Ready
for Service?

Y



VEHICLE INSPECTION REPORT

Inspection
Date

7/23/2008



MRN #

MRO #

USDOT #

252234

ICC #

151206

Charter #

Motor
Carrier HOLIDAY TOURS, INC.

Street
Address 10367 Randleman Rd

City Randleman State NC Zip 27317-8076

Driver DOB

SSN #

License # State

VEHICLE IDENTIFICATION

Vehicle Type Bus Own or Lease? ☐

Make PREVOST 2007

Company Number 409

License Number LA13950

VIN Number 2PCH3349571710837

Inspection #

2082061

InspectionType FTE

CVSA Level 5

Inspection Location

Randleman NC

Start Time

End Time

Is Vehicle on

Y

DTMO

Vehicle Ready

for Service?

Y



VEHICLE INSPECTION REPORT

Inspection
Date

7/23/2008



MRN #

MRO #

USDOT #
252234

ICC #
151206
Charter #

Motor
Carrier HOLIDAY TOURS, INC.

Street
Address 10367 Randleman Rd

City Randleman State NC Zip 27317-8076

Driver
SSN #
License #
DOB
State

VEHICLE IDENTIFICATION

Vehicle Type Bus Own or Lease? O
Make PREVOST 2007
Company Number 209
License Number LA13933
VIN Number 2PCH3349771710838

Inspection #

2082061

InspectionType FTE

CVSA Level 5

Inspection Location
Randleman NC

Start Time

End Time

Is Vehicle on
DTMO Y

Vehicle Ready
for Service? Y



VEHICLE INSPECTION REPORT

Inspection
Date

7/23/2008



MRN #

MRO #

USDOT #
252234

ICC #
151206
Charter #

Motor
Carrier HOLIDAY TOURS, INC.

Street
Address 10367 Randleman Rd

City Randleman State NC Zip 27317-8076

Driver
SSN # DOB

License # State

VEHICLE IDENTIFICATION

Vehicle Type Bus Own or Lease? O
Make PREVOST 2007
Company Number 210
License Number LA13934
VIN Number 2PCH3349971710839

Inspection #

2082061

InspectionType FTE

CVSA Level 5

Inspection Location

Randleman NC

Start Time

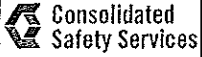
End Time

Is Vehicle on
DTMO

Y

Vehicle Ready
for Service?

Y



VEHICLE INSPECTION REPORT

Inspection
Date

7/23/2008



MRN #

MRO #

USDOT #

252234

ICC #

151206

Charter #

Motor
Carrier

HOLIDAY TOURS, INC.

Street
Address

10367 Randleman Rd

City

Randleman

State NC

Zip 27317-8076

Driver

DOB

SSN #

License #

State

VEHICLE IDENTIFICATION

Vehicle Type Bus

Own or Lease? ☐

Make PREVOST 2002

Company Number 201

License Number LA13949

VIN Number PCH3349721014375

Inspection #

2082061

InspectionType FTE

CVSA Level 5

Inspection Location

Randleman NC

Start Time

End Time

Is Vehicle on

Y

DTMO

Vehicle Ready

for Service?

Y

CITATION INFORMATION

<u>Item</u>	<u>Unit</u>	<u>Citation #</u>	<u>O/O/S</u>	<u>Type of Violation</u>	<u>Violation Description</u>
1		MBA-ATTACH	N	EQUIPMENT COMFORT	Three (3) reading lamps inoperable.



U.S. Department of
Transportation
**Federal Motor
Carrier Safety
Administration**

TOMMY RAYLE, JR.
VP-OPERATIONS
HOLIDAY TOURS INC
10367 RANDLEMAN ROAD
RANDLEMAN NC 27317-8076

400 Seventh St., S.W.
Washington, D.C. 20590

May 13, 2004

In reply refer to:
Your USDOT No.: 252234
Review No.: 319700/CR

Dear TOMMY RAYLE, JR.:

The motor carrier safety rating for your company is:

SATISFACTORY

This SATISFACTORY rating is the result of a review and evaluation of your safety fitness completed on May 6, 2004. A SATISFACTORY rating indicates that your company has adequate safety management controls in place to meet the safety fitness standard prescribed in 49 C.F.R. 385.5.

Please assure yourself that any specific deficiencies identified in the review report have been corrected. We appreciate your efforts toward promoting motor carrier safety throughout your company. If you have questions or require further information, please contact your local Federal Motor Carrier Safety Administration office listed below:

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
310 NEW BERN AVENUE, ROOM 468
RALEIGH, NC 27601
Telephone No.: 919-856-4378

Charles A. Horan, III
Director, Office of Enforcement and
Compliance